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March 24, 2008

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**BY FAX (914-390-4179)**

Honorable Stephen C. Robinson  
United States Courthouse  
300 Quarropas Street, Room 633  
White Plains, NY 10601

## MEMO ENDORSED

Re: Omnipoint Communications Inc.  
v. The Town of Ramapo, et al.  
08 Civ. 2419 (SCR)


Dear Judge Robinson:

I am the attorney for Omnipoint Communications Inc. ("Omnipoint") in connection with the above captioned matter. Omnipoint respectfully seeks leave to make a motion to submit a Supplemental Complaint in accordance with FRCP Rule 15(d) and requests a pre-motion conference with Your Honor to discuss same.

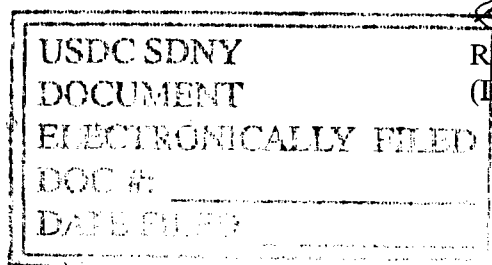
Omnipoint commenced this action on March 10, 2008 alleging that for the past twenty-two (22) months, defendants have unreasonably delayed Omnipoint's application ("Application") for permission to construct a federally licensed wireless telecommunications, in violation of the federal Telecommunications Act of 1996. On March 11, 2008, defendant Planning Board denied the Application. Omnipoint seeks to supplement its complaint to include the defendant Planning Board's denial of the Application. Since defendants have not yet answered plaintiff's complaint, please let us know if Your Honor believes that an amendment of Omnipoint's complaint would be more appropriate.

Please let us know how Your Honor wishes to proceed. Thank you for your consideration.

Very respectfully yours,

  
Robert D. Gaudioso, Esq.  
(ID# RG 3829)

RDG/cmb



cc: Town of Ramapo Town Clerk (simultaneously by fax to 845-357-8513)  
Town of Ramapo Town Attorney (simultaneously by fax to 845-357-2936)  
Omnipoint Communications Inc.

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APPLICATION GRANTED

*Stephen C Robinson* 3/20/08

HON. STEPHEN C. ROBINSION